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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 08/995,715 | 12/22/1997 | IVANOV ANATOLY GENNADIEVICH | 0971/OD319 | 8165 |

7590 12/09/2002
DARBY & DARBY
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

BRIER, JEFFERY A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2672

DATE MAILED: 12/09/2002

39

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

08/995,715

Applicant(s)GENNADIEVICH, IVANOV
ANATOLY**Examiner**

Jeffery A. Brier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-50, 52, 55-61, 63, 67-69, 71, 73 and 75-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-50, 52, 55-61, 63, 67-69, 71, 73, and 75-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on 11/07/2002 has been entered. This amendment amended the specification by correcting the spelling of complementary and added a reference to new figure 2A, amended claims 48, 50, 55, 57, 58, 69, 71, and 73 and added new claim 79.

Drawings

2. The corrected or substitute drawings received on 11/07/2002 are not approved. Figure 2 and 2A do not correspond to page 13 lines 2-10 of the specification as filed and does not correspond to figure 2 of the foreign priority document.
3. The corrected or substitute drawings received on 04/15/2002 are not approved.

Reference numerals 7 and 27 described in the specification as being in figure 7 are not present in figure 7. Additionally figure 7 does not correctly show that which is described at page 21 lines 16-19 of the specification as filed since the beams reflected at each of light dividers 18 is shown to have different widths.

The focusing cone 11 of figures 3 and 4 do not show how an image formed of raster elements are enlarged uniformly such that the center raster element has the same size as the outer raster elements. Page 14 line 21 to page 15 line 2 describes focusing cone 11 but fails to describe how this basic optical element transforms the transmitted part of the image in the conductor 3' so that it will correspond to the block of the image to be displayed on the image plane 5 without causing the raster elements

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forming the part of the image to be distorted or have differing sizes due to the slope of the edge of the focusing cone. A focusing cone alone could not do that which applicant alleges is done by the focusing cone.

Figure 1 fails to show how the block of raster elements from the complementary screen is sent to each of the BDS elements in a sequence as described in the originally filed specification at page 11 lines 17-19. The shown polarizer 4 could not direct a block of raster elements onto a corresponding BDS element.

In figure 5(b) element 23 has no corresponding description in the specification as filed and polarizer 4 was not originally described on page 19 while complementary screen 1 was originally described at page 19.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 48-50, 52, 55-61, 63, 67-69, 71, 73, and 75-79 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 48-50, 52, 55, 56, 71, 77, and 78:

Independent claim 48 was amended in paragraphs (b) and (c) such that the claim is no longer supported by the originally filed specification. Claim 48 now claims dividing a raster element into parts to simultaneously form copies of the raster element with the copies to be used in forming corresponding raster elements in P blocks and an array of modulators to independently modulate each raster element for each of said P blocks. While the specification as filed described in a time sequential manner applying each complementary screen to a BDS and controlling the modulation of each of the raster elements for each BDS block. Note originally filed page 11 lines 17-19, 15 lines 17-21, 19 lines 12-16, 20 lines 3-9 and 22 lines 1-12. The specification did not describe simultaneously dividing each raster element into copies and modulating each raster element of all of the blocks simultaneously of each BDS block. Paragraph (d) was amended to claim a surface on which N image blocks of total number of M pixels are formed while paragraph (a) claimed a complementary screen having N pixels, the specification failed to describe having N image blocks and N complementary screen pixels and failed to described how N complementary screen pixels are converted into M pixels since each modulator modulates the output of a BDS as a whole, thus, the same complementary screen pixel is used at corresponding locations in each of the N image blocks and depending upon the display state of the complementary screen pixel, a display state needed for a pixel in one image block may not be doable since an OFF complementary screen raster element could not produce an ON pixel in one of the image blocks since applicant did not describe a modulator that will add light to the light

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emitted by the complementary screen pixel or alter the hue to a desired hue. Page 19 lines 12-16 and page 22 lines 1-12 of the specification describes modulators but did not describe one which will add light to a raster element's light beam or alter its hue to a desired hue. Dependent claims 49, 50, 52, 55, 56, 71, 77, and 78 are rejected for the same reasons given for parent claim 48 since they do not correct the problems associated with claim 48.

Claims 57-61, 63, 67, 68, 73, 75, and 76:

Independent claim 57 was amended in paragraphs (b), (c), and (e) in a manner similar to paragraphs (b), (c), and (d) of claim 48 such that the claim is no longer supported by the originally filed specification for the same reasons given for claim 48. Dependent claims 58-61, 63, 67, 68, 73, 75, and 76 are rejected for the same reasons given for parent claim 57 since they do not correct the problems associated with claim 57.

Claims 69 and 79:

Independent claim 69 was amended in paragraphs (b) and (c) in a manner similar to paragraphs (b) and (c) of claim 48 such that the claim is no longer supported by the originally filed specification for the same reasons given for claim 48 for paragraphs (b) and (c). Dependent claim 79 is rejected for the same reasons given for parent claim 69 since they do not correct the problems associated with claim 69.

Response to Arguments

6. Applicant's arguments filed 11/07/2002 have been fully considered but they are not persuasive. The various comments by applicant have been considered, however, the claims are not allowable for the reasons given above.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

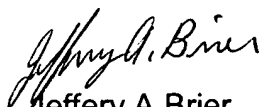
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Jeffery A Brier
Primary Examiner
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